

**(c:) AMENDMENTS TO CLAIMS**

1.(Currently amended): A marker luminaire comprising:

    a housing having an exterior and an interior;

    a light emitting diode located in the interior of the housing;

    a light ~~scattering~~ transmitting element optically coupled with the light emitting diode and having a visible surface open on the exterior of the housing ~~for transmitting through which light is visible over a broad angle viewing area angle~~; and

    a low current level energization circuit operably connected to the light emitting diode for ~~causing~~ supplying ~~current to the~~ light emitting diode to cause the ~~light emitting diode to illuminate the visible surface of the light scattering transmitting element at an~~ intensity level below a useful threshold of human photopic vision and above a threshold of scotopic vision.

2.(original): A marker luminaire as set forth in claim 1, wherein the light emitting diode emits broad spectrum light.

3.(original): A marker luminaire as set forth in Claim 2, wherein the light emitting diode is one of a class of super bright light emitting diodes exhibiting high light generating efficiency at luminescence levels below the threshold of human photopic vision.

4.(currently amended): A marker luminaire as set forth in claim 3, wherein the low

current level energization circuit includes a battery.

5.(currently amended): A marker luminaire as set forth in claim 4, wherein the low current level energization circuit includes an ambient light sensitive element for setting a level of current supplied to the light emitting diode.

6.(currently amended): A marker luminaire as set forth in Claim 5, further comprising a high current level energization circuit for supplying a transient drive current to the light emitting diode sufficient to cause the luminescence above a useful threshold of human photopic vision.

7.(currently amended): A marker luminaire as set forth in claim 6, wherein the high current level energization circuit includes a radio transmitter.

8.(currently amended): A marker luminaire as set forth in claim 4, the low current level energization circuit further comprising:

    a solid state switch operably coupled to the light emitting diode for controlling low current level energization of the light emitting diode; and

    a photosensitive resistor coupled to the solid state switch to control the conductive state thereof.

9.(original): A marker luminaire as set forth in claim 8, further comprising:

    an encoder and radio transmitter for a wireless doorbell;

a momentary switch connected to activate the encoder and radio transmitter; and

the encoder and radio transmitter being coupled to the light emitting diode for drawing energization current through the light emitting diode at a level sufficient to cause the light emitting diode to luminesce at a level perceptible by photopic vision.

10.(original): A marker luminaire as set forth in claim 9, the housing further comprising:

an external button for actuating the momentary switch; and

an optical pathway between the light emitting diode and the exterior of the housing.

11.(original): A marker luminaire as set forth in claim 8, the housing further comprising:

an upright translucent tube; and

a stake for placement into the ground supporting the upright translucent tube.

12.(original): A marker luminaire as set forth in Claim 1, wherein the light emitting diode is one of a class of super bright light emitting diodes exhibiting high light generating efficiency at luminescence levels below the threshold of human photopic vision.

13.(currently amended): A marker luminaire as set forth in claim 12, wherein the low current level energization circuit includes a battery.

14.(currently amended): A marker luminaire as set forth in claim 13, wherein the low current level energization circuit includes an ambient light sensitive element for setting a level of current supplied to the light emitting diode.

15.(currently amended): A marker luminaire as set forth in Claim 14, further comprising a high current level energization circuit for supplying a transient drive current to the light emitting diode sufficient to cause the luminescence above a useful threshold of human photopic vision.

16.(currently amended): A marker luminaire as set forth in claim 15, wherein the high current level energization circuit includes a radio transmitter.

17.(currently amended): A marker luminaire as set forth in claim 14, the low current level energization circuit further comprising:

    a solid state switch operably coupled to the light emitting diode for controlling low current level energization of the light emitting diode; and

    a photosensitive resistor coupled to the solid state switch to the control the conductive state thereof.

18.(original): A marker luminaire as set forth in claim 17, further comprising:

    an encoder and radio transmitter for a wireless doorbell;

    a momentary switch connected to activate the encoder and radio transmitter; and

the encoder and radio transmitter being coupled to the light emitting diode for drawing energization current through the light emitting diode at a level sufficient to cause the light emitting diode to luminesce at a level perceptible by photopic vision.

19.(original): A marker luminaire as set forth in claim 18, the housing further comprising:

an external button for actuating the momentary switch; and

an optical pathway between the light emitting diode and the exterior of the housing.

20.(original): A marker luminaire as set forth in claim 17, the housing further comprising:

an upright translucent tube; and

a stake for placement into ground for supporting the upright translucent tube.

21.(currently amended): A marker luminaire as set forth in claim 17, the light scattering transmitting element including a generally light diffusing panel bearing relatively opaque, intelligible symbols.

22.(original): A marker luminaire as set forth in claim 4, further comprising a radio transmitter connected to draw power through the light emitting diode.

23.(original) A marker luminaire as set forth in Claim 13, further comprising a pull chain extending from the housing.

24.(original): A marker luminaire as set forth in claim 4, the housing further comprising:

an upright translucent tube; and

a stake for placement into the ground supporting the upright translucent tube.

25.(currently amended): A marker luminaire as set forth in claim 13, the light scattering transmitting element including a generally light diffusing panel bearing relatively opaque, intelligible symbols.

26.(original): A marker luminaire as set forth in Claim 4, further comprising:

internal circuitry; and

an external button for activating the internal circuitry.

27.(currently amended): A lamp comprising:

a housing;

a battery located in the housing;

a light emitting diode in the housing, the light emitting diode being of a type exhibiting high efficiency in light generation across a substantial drive

current operating range and with increasing intensity as drive current increases, including light emission levels above a threshold of darkness adapted human vision and below a threshold of useful photopic vision at a threshold current;

a light scattering element optically coupled to the light emitting diode for transmitting and scattering light from the light emitting diode outside the housing; and

diode drive circuitry connected to the battery to draw power therefrom and further connected to the light emitting diode to deliver drive currents to the light emitting diode sufficient to illuminate the light scattering element above the threshold of darkness adapted human vision but below the threshold of useful photopic vision.

28.(original): A lamp as set forth in Claim 27, wherein the light emitting diode emits broad spectrum light.

29.(original): A lamp as set forth in Claim 28, the diode drive circuitry further comprising:

a light sensitive element for reducing the level of the drive current to a negligible level in response to increasing ambient light; and

an optical opening through the housing allowing ambient light to reach the light sensitive element.

30.(original): A lamp as set forth in Claim 27, further comprising a short range radio transmitter.

31.(original): A lamp as set forth in Claim 30, wherein the short range radio transmitter is coupled to the energization circuit to draw current through the light emitting diode.

32.(original): A lamp as set forth in Claim 31, wherein the light emitting diode emits broad spectrum light.

33.(currently amended): A luminaire comprising:

a housing;

a light scattering illumination source ~~capable of producing~~ including a light emitting element for emitting light at an intensity visible to a partially darkness adapted human eye but below the threshold of photopic vision in response to a minimal threshold current, the light scattering illumination source being mounted with respect to the housing to mark the location of the housing, when illuminated, over a wide viewing angle; and

an electrical energization circuit supplying the minimal threshold current to the light emitting element of the light scattering illumination source.

34.(original): A luminaire as set forth in Claim 33, further comprising:

a radio frequency transmitter coupled for energization to the electrical energization circuit.

35.(currently amended): A luminaire as set forth in Claim 34, the light **scattering**  
~~illumination source~~ emitting element further comprising a light emitting diode positioned  
in the housing and a light scattering element optically coupled to the light emitting diode.

36.(original): A luminaire as set forth in Claim 35, the light emitting diode being a broad  
spectrum light emitting diode.